US Army Corps
of Engineers
Alaska District

Regulatory Branch (1145b)
3437 Airport Way
Suite 206
Fairbanks, Alaska 99709-4777

Public Notice of Application for Permit

PUBLIC NOTICE DATE: January 22, 2004

EXPIRATION DATE: February 22, 2004

REFERENCE NUMBER: 4-2003-1477

WATERWAY NUMBER: Chatanika River 12

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Ms. Sarah Conn, Environmental Analyst, State Of Alaska, Department of Transportation and Public Facilities, Design and Engineering Services Division, Northern Region, 2301 Peger Road, Fairbanks, Alaska 99709-5106

LOCATION: Section 17, T. 5 North, R. 5 East, Fairbanks Meridian, Latitude 65° 15′ 29″ N., Longitude 146° 45′ 21″ W.

WORK: The applicant proposes clearing, excavation and stockpiling of materials on approximately 15 acres of wetlands for the proposed continued development of an existing material site and expansion of the site to the east and west. A currently existing drainage ditch will be enlarged to facilitate the drainage of the work area. All work would be in accordance with the attached plans (sheets 1-5), dated January 21, 2004.

PURPOSE: The excavated gravel material is required for the Steese Highway Milepost 53-62 Rehabilitation project and the upcoming Steese Highway Milepost 62-81 project. The Department of Transportation plans on using this material site as a long-term source to meet needs in this area. The current project would remove only a portion of the total available gravel material at this site.

ADDITIONAL INFORMATION: The project area is an existing material site located north of the Chatanika River and south of the Steese Highway at mile post 56 (see page 1 of the attached plans).

The objective of the Steese Highway rehabilitation project is to reduce icing problems by providing subsurface drains and raising the road profile to increase storage capacity and ditch grade at Milepost 53. During this project fish passage culverts will be installed at the Ptarmigan Creek, U.S. Creek and Cripple Creek crossings, and damaged culverts will be replaced at the Lost Creek and Medicine Creek crossings.

The proposed work would involve the mining of 100,000 cubic yards of gravel material from the site. From an existing work pad, four individual 5-acre cells of material would be mined, one at a time. Once a cell is depleted, the sides would be graded to a 3:1 slope before moving to a new cell. The expected depth of the excavated cells would be between six and nine feet at completion. A maximum of 100,000 cubic yards of material would be mined from a 15-acre wetland site. Only mining of sand and gravel is expected. Once the entire mine site has been depleted

the existing work pad and cells would be reclaimed and the pit closed out. During geotechnical investigations bedrock was encountered at approximately nine feet and the water table was encountered at six feet. Due to the proximity of the Chatanika River and its floodplain, this site is subject to flooding.

Vegetation in the project area would be cleared by pushing the trees and surface growth into berms along the perimeter of the treated area. A 100 foot buffer zone would be left between the mined cell and adjacent properties as well as between the mined area and the Chatanika River. The surface layer of organic silts (estimated at 0.5 feet thick) would be windrowed separately and stockpiled next to the surface vegetation berms. Any remaining overburden of silts and sands would also be removed and stockpiled separately to facilitate future reclamation of the site.

The project also includes the widening of the access road and the improvement of a currently existing drainage ditch to improve the safety of the road and allow the passage of large vehicles typically used in gravel mining operations.

During reclamation of the mined site the organic silts would be spread over the side slopes and the vegetation would be spread over that. Fertilizer would be applied, but no seeding would be done with the expectation that native species should re-establish themselves on site.

Please see the attached Alaska Department of Transportation Mining and Reclamation Plan (sheets 3-5), dated January 21, 2004, for more detailed information.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH

area as identified by the National Marine Fisheries Service (NMFS). We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. The evaluation of the probable impacts that the proposed activity may have on the public interest requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the potential cumulative effects of the proposed project. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Ellen Huber at (907) 474-2166, or email at Ellen.M.Huber@poa02.usace.army.mil if further information is desired concerning this notice.

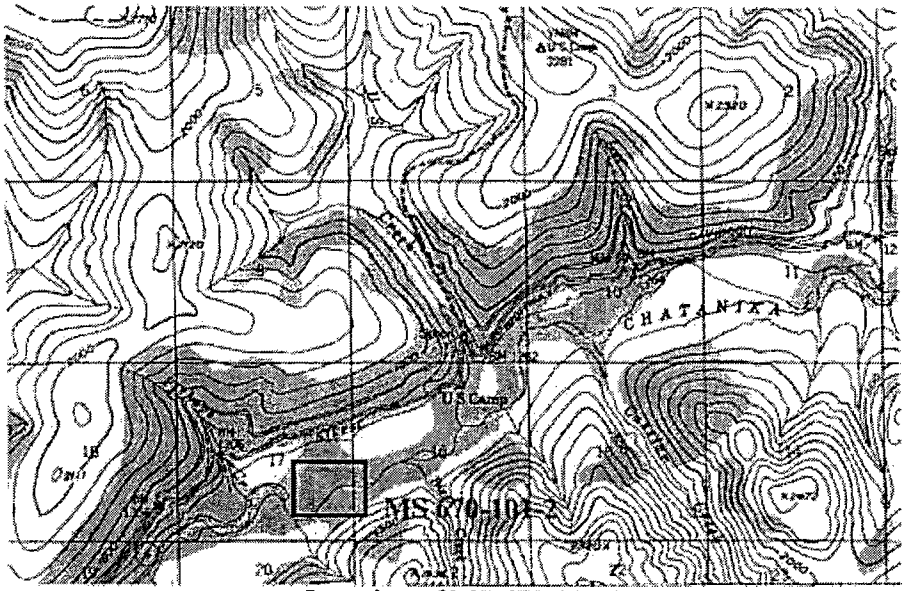
AUTHORITY: This permit will be issued or denied under the following authority:

Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan and Notice of Application for State Water Quality Certification are attached to this Public Notice.

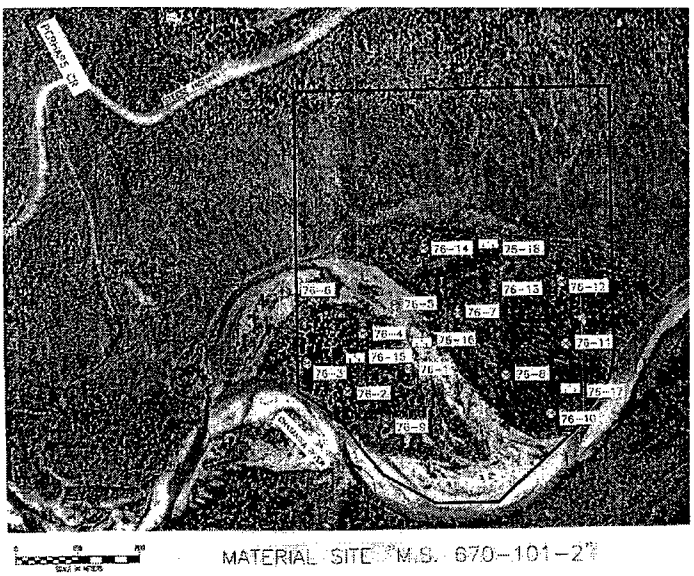
District Engineer
U.S. Army, Corps of Engineers

Attachments

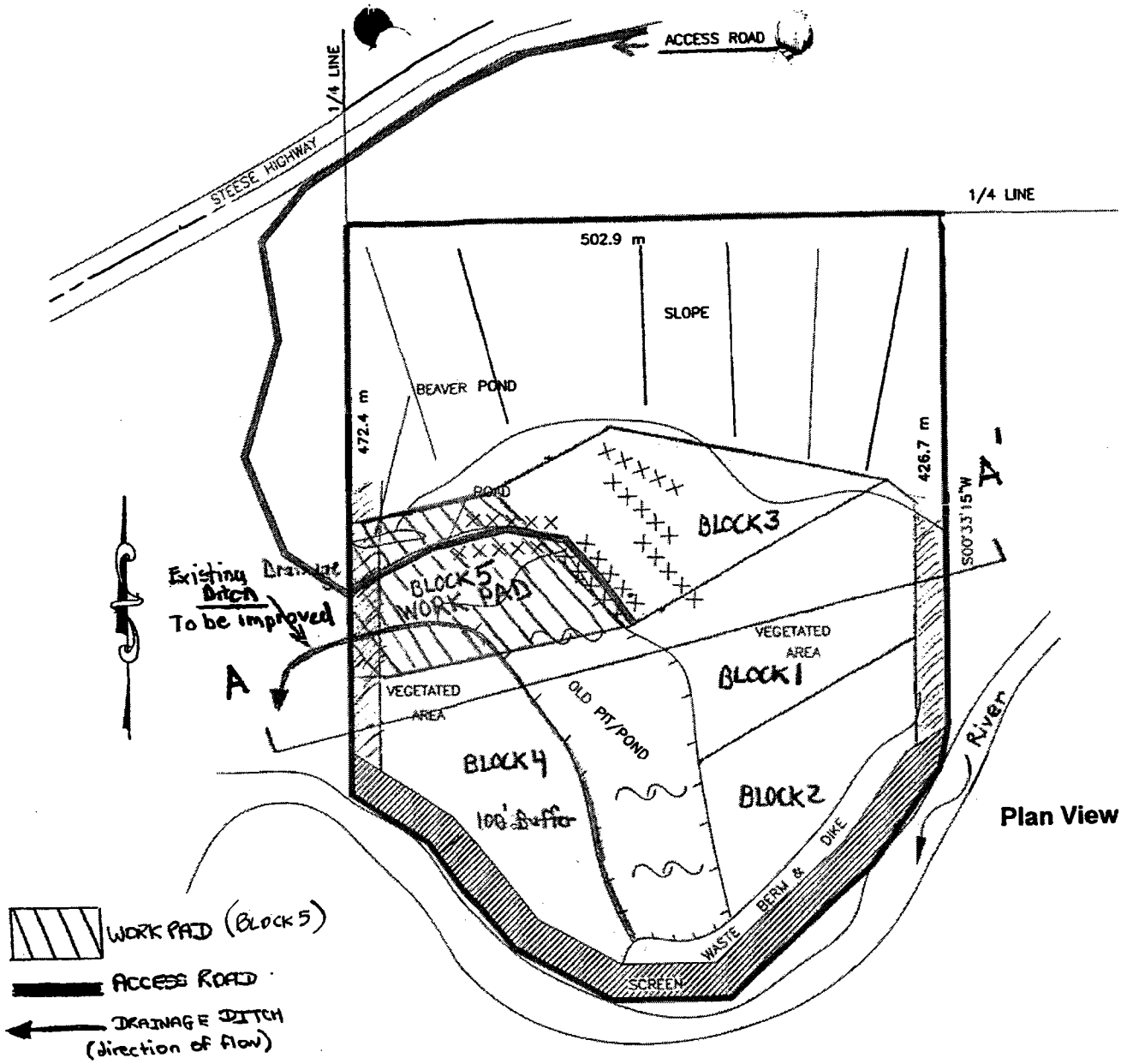


Location of MS 670-101-2
(From USGS Quad Map Circle B-6)

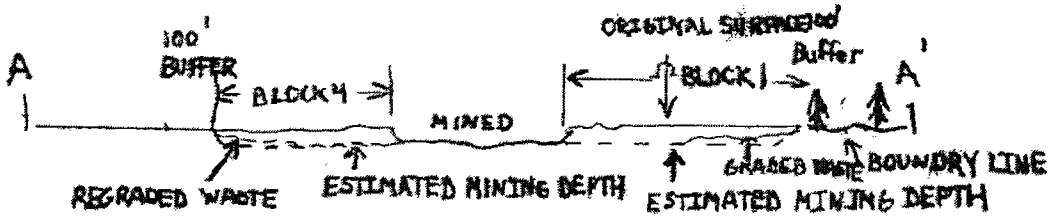
Section 17, T. 5 N, R. 5



Alaska Dept. Of Transportation and Public Facilities (ADOT) 4-2003-1477, Chatanika River 12 Plans Prepared Jan. 21, 2004
Project Site Location Page 1 of 5



Plan View



Typical Cross Section

Alaska Dept. Of Transportation and Public Facilities (ADOT)
4-2003-1477, Chatanika River 12
Plans Prepared Jan. 21, 2004

Project Site Plan View and Cross Section

Mining & Reclamation Plan for MS 670-101-2
MP 56 of the Steese Highway

Legal Description

South of the Steese Highway, Within T5N, R5E, Section 17, FM.

Introduction

We are proposing to continue development of an existing material site at MP 56 Steese Highway. The site is located to the north of the Chatanika River. In order to protect water quality and riparian habitat, ADF&G has recommended we leave a 100-foot undisturbed buffer between any mining activity, and the Chatanika River. In addition we propose to leave a 100-foot, undisturbed buffer between the material site boundary and surrounding lands and mining activities.

Site Characteristics

The material site is on an elevated alluvial fan above the active flood plain of the Chatanika River. During geotechnical investigations bedrock was encountered at approximately 9-feet, while the water table was encountered at 6-feet. The depth of the water table is near uniform on the site. Due to the proximity of the river and its floodplain this site is subject to flooding. There are large spruce trees mixed with shrubs and occasional aspen and birch trees. The depth of overburden (organic silt) at the site is estimated to be less than ½ foot from the 1976 drilling and inspection of the cut slopes along edges of the current pit area.

Materials available at this site are alluvial sand and gravel - specific gravity of the cobbles is near 2.8.The sand and gravel is layered with occasional silt seams and possible organic layers, therefore some waste maybe generated from mining (estimated at a maximum of 20%). Crushing operations are planned to occur on the 5-acre pad area. Waste from crushing – that may be utilized as fill or backfilled in the pit- could account for 40 to 80 percent of the volume processed. Waste amounts depend on product(s) being produced and specific size distribution of grave being processed. In addition, the specific gravity of the cobbles is near 2.8.

For this project and maintenance of this project we wish to mine 100,000cy of from this site. We have an existing permit with Alaska Department of Natural Resources (ADL 407847) to allow for future expansion of this pit and extraction of 130,000 cubic yards of material.

Access Road

The first stage in the continued development of this pit would be the clearing of overgrown brush, some minor widening and establishing drainage ditches to increase safety of the access road This is necessary to allow safe passing of large vehicles typically used in gravel mining operations.

Based on NWI maps, and aerial photography of the area we believe that the existing road and trail to the pit area is located on ground that is classified as uplands.

Permanent Work Pad

We would like to see this material site maintained as a long-term source to meet DOT needs in the area. The estimated in place material within the buffer zone lines is estimated to be near 290,000 cubic yards. As such we are proposing a work pad remain that all future operations can be based from. From this work pad, individual 5-acre cells of material will be mined. Once a cell is depleted it will be regraded. Once the entire mine site has been depleted the work pad would then be restored and the pit closed out. In order to mine effectively, allowing space for machinery to turn, load, and be weighed etc. our construction engineering staff have found that a minimum area of 5 acres is required.

The ground to the west of the current pit site, slopes gently down towards the Chatanika River – there is a previously excavated drainage ditch between the pad and undisturbed ground. We propose to locate the work pad northwest of the current pond area. A stockpile of near 10,000 cubic yards may be left to supply future maintenance and operations needs.

Gravel Mining

The site will be mined in nominal 5-acre increments termed a Block. The cells to be used for this Material Site are shown in Figure 2. Developing the pit in Blocks is intended to avoid having large areas of disturbed ground requiring longer distance movement of surface materials and related water quality concerns. A 5-acre cell can be efficiently mined and then rehabilitated such that the active un-reclaimed area of the pit is not more than 15 acres. We would like to extract 100,000cy of crushed gravel material for this project from this pit. Based on the volumes described an area of 20 acres would have to be mined to provide this amount of material- including a contingency of 25% for possible waste within the horizons planned to be mined. As described this will be achieved through mining of 4 discrete cells (in numerical order). The first cell will be 5 acres in size, with an adjacent cell (depending on waste within the gravel) to be mined once this initial area has been depleted of gravel. The initial work pad is anticipated to be the existing pad/stockpile area.

The #1 Block will be cleared by pushing trees and surface growth into a berm along the east buffer zone. The surface layer of organic silts (estimated at 0.5 feet thick) will be windrowed separately and stockpiled next to the surface vegetation berm. Below this layer there may be overburden, which is comprised mainly of silts and sands. This material will also be pushed off and stored as a separate pile or berm of material. The exposed gravel will then be excavated for fill or processing. The side slopes of the active pit should not be steeper than 1:1 so stockpiled berms do not fall into the active pit.

Mining will take place following the same basic principals for each Block. First the overburden will be removed (usually by pushing) and stockpiled. As much as is practicable the organic layer will be kept separate from the underlying sand and silt overburden and waste. As the gravel materials are wet the site may be mined in a series of cuts across a Block by use of bailing. Scrapes across the entire opened area of the Block may be used. As described we anticipate the contractor will haul and/or process

the material as it is mined. However, a stockpile may be developed and sited within a Block or on the work pad as scheduling dictates.

Reclamation Plan & Objectives

Following this mining plan four Blocks will be depleted of gravel resources and can therefore be reclaimed as part of this project. The reclamation plan has several objectives, these are:

1. To prevent erosion and sediment transport to surrounding, undisturbed wetland habitats.
2. To leave the excavated portion of the pit in a safe manner that would not endanger users of the area.
3. Not to preclude future development of un-mined areas of this designated material site.
4. To reestablish vegetation, and allow the development of habitat that will be productive and used by the wildlife resources of the area.

During mining, the active pit floor will be excavated reasonably flat anticipating that a pond will form – dry areas will be graded flat. The berm of available organic silts will be spread over the side slopes that have been regarded at 3H to 1V. The vegetation berm will then be graded over the organic silts. Fertilizer (20:20) will then be applied to the entire site (except ponded water areas) at a rate of 220lb / acre.

Using inorganic overburden and seeding with annual species at the edges of the pit will prevent erosion and stabilize the slopes. Invasion of native species often occurs through vegetative growth rather than seed dispersal. Therefore, we can expect the edges of the pit to be colonized by the natural flora of the surrounding area first. The limited organic material will be used on the "dry" portions of the pit. Here the natural seed bank held in the organic mat should allow these species to reestablish themselves. The organic material will only be graded flat and not seeded. This should reduce the competition with the grass species commonly used for seeding, while the addition of fertilizer should allow the native species to grow rapidly.

To future use of the pit, the work area will not be reclaimed. This area can be used for staging, and stockpiling of material for future mining operations so reducing the footprint of future operations.

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF AIR AND WATER QUALITY
Non-Point Source Control Section
401 Certification Program

NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **4-2003-1477, Chatanika River 12** serves as application for a short-term variance of State Water Quality Certification from the Department of Environmental Conservation, as provided in Section 401 of the Clean Water Act of 1977 (PL 95-217).

The Department will review the proposed activity to ensure that, except for an allowed, short-term variance, any discharge to waters of the United States resulting from the referenced project will comply with the Clean Water Act of 1977 (PL95-217), the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-7564
FAX: (907) 269-7508